

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

W. SAMUEL PATTEN,

Defendant.

:
: Criminal No.: 18-260 (ABJ)
:
: Sentencing: April 12, 2019
:
:

**ERRATA TO GOVERNMENT'S MEMORANDUM IN AID OF
SENTENCING AND MOTION FOR A DOWNWARD DEPARTURE**

The United States of America, by and through undersigned counsel, submits this Errata in order to clarify and amplify statements previously made by the Government in its original Memorandum in Aid of Sentencing and Motion for a Downward Departure (ECF No. 38).

At page eight of the government's Memorandum, the government discussed the *Tongsun Park* case and listed the sentence imposed as "60 months imprisonment." While the original sentence imposed was 60 months, pursuant to a Rule 35 motion the court ultimately sentenced Park to 37 months of imprisonment because of his post-sentencing cooperation with the government. See *United States v. Park*, 553 F.Supp.2d 474, 475 (S.D.N.Y. 2008). The sentence in the government's memorandum should read: "Park was originally sentenced to 60 month's imprisonment, and the court subsequently reduced his sentence to **37 months'** imprisonment pursuant to a Rule 35 motion because of his post-sentencing cooperation with the government."

Also on page eight of the government's Memorandum, referring to the list of sentences received by other defendants who violated FARA, the government stated: "In the above cases, none of the defendants successfully cooperated with the government . . ." The complete sentence should read instead: "In the above cases, none of the defendants successfully cooperated with the government before sentencing, nor did any of them receive from the government a

recommendation for a downward departure pursuant to U.S.S.G. 5K1.1 for providing substantial assistance.”

Respectfully submitted,

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By: _____ /s/
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National Security Division

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2019, a copy of the foregoing Errata to Government's Memorandum in Aid of Sentencing and Motion for a Downward Departure was sent to Stuart A. Sears, Esquire, via ECF.

/s/
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Assistant U.S. Attorney